

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)	
)	No. _____
)	
v.)	
)	Judge Holmes
TAD E. CUMMINS)	

MOTION FOR DETENTION

Pursuant to Title 18, United States Code, Section 3142(f), the United States moves this Court to detain Tad E. Cummins (“Defendant”) pending proceedings in this matter. In accordance with Title 18, United States Code, Section 3142(f)(1)(B) and (E), the United States is entitled to seek detention of the defendant until the time of trial. Moreover, Title 18, United States Code, Section 3142(e) establishes a rebuttable presumption that “no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of any other person and the community. . . .” The United States seeks detention on the grounds that Defendant is a serious risk of flight and a danger to the community, and requests a continuance of three days to hold a hearing on those issues.

The evidence supporting Defendant’s risk of flight and danger to the community is overwhelming. This entire case stems from Defendant’s flight across the country with the intent to engage in criminal sexual activity with a minor. Defendant did not merely flee with the victim—he took numerous measures to conceal both his and his victim’s location throughout the course of his flight across the continent. In an effort to conceal their whereabouts and evade law enforcement, Defendant took the following actions, including but not limited to: (1) disconnecting the satellite radio, with the intent to disable any GPS tracking capability; (2) disposing of both his and the victim’s smart phones; (3) altering both his and the victim’s appearance; (4) removing his

vehicle's official license plate and replacing it with tags stolen from different vehicles; and (5) despite a highly publicized nationwide search, evading law enforcement for approximately thirty-eight days. Indeed, but for the efforts of a Good Samaritan in remote Northern California, he would have continued his efforts to evade capture.

In addition to Defendant's above-referenced behavior, additional facts demonstrate the substantial danger that Defendant poses to the community, including but not limited to: (1) Defendant abused his position of public trust as the victim's high school teacher; (2) Defendant recognized and exploited the victim's vulnerability given her age and personal background; (3) Defendant transported the fifteen-year old victim in interstate commerce with the intent to engage in criminal sexual activity; and (4) most notably, Defendant admitted to law enforcement, as well as other witnesses, that he engaged in multiple sex acts with the victim in numerous locations over the thirty-eight day period.

Given these facts, Defendant is a serious flight risk and poses a substantial danger to the community. Therefore, the United States requests that this Court detain Defendant until the time of trial.

Respectfully submitted,

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